

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
NE/S Hazelwood Avenue, 312 ft. E *
of Amelia Avenue * ZONING COMMISSIONER
4920 Hazelwood Avenue *
14th Election District * OF BALTIMORE COUNTY
6th Councilmanic District *
William R. Bonnett, et ux * Case No. 99-146-SPH
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 4920 Hazelwood Avenue in the Rosedale community of Baltimore County. The Petition was filed by William R. Bonnett and Reginal Bonnett, his wife, property owners. Special Hearing relief is requested to amend the Order issued in case No. 89-239-XA so as to remove restrictions Nos. 2, 4 and 5 therein and unencumber the property from those requirements. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

This matter was duly advertised and posted for a public hearing which convened on November 24, 1998. Following the presentation of some testimony on that date, the matter was continued and a second hearing was conducted on December 21, 1998. Appearing at one or both public hearing dates for this case was William R. Bonnett, property owner. The Petitioner was represented by James W. Motsay, Esquire. Appearing as interested persons from the surrounding community were Ella Jackson, Holly Isaacs, Joseph F. Newberger, Edward Keith, William Blake, Elaine Kalb, Ruth Ryan and George Economas.

Testimony and evidence presented was that the subject property is approximately .77 acres in area, zoned B.L.A.S. The parcel is an irregularly shaped lot with frontage on Hazelwood Avenue in Rosedale. The property is improved with a 2-1/2 story office building which is located

ORDER RECEIVED FOR FILING

Date

By

11/23/99
M. G. G. G.

in the front of the lot. A small one story garage is located immediately behind the office building and a larger one story block service garage building is located to the rear of the property. As noted above, the property is owned by Mr. and Mrs. Bonnett and utilized by the business operated thereon known as Ted's Towing. Mr. Bonnett has been in the towing business for approximately 30 years and has been at this site since 1996. He is a licensed tower and is on the approved list of towers maintained by the Baltimore County Police Department. The nature of the business is to tow, repair and store damaged automobiles to the subject site.

Zoning relief was originally granted to permit a towing business on the site in case No. 86-321-X. Several years later, under case No. 89-239-XA, additional special exception and variance relief was granted. As part of the Order in that case, however, 8 restrictions were included. The matter comes before me at this time seeking removal of three of those restrictions.

At the first hearing date, (November 24, 1998) testimony and evidence was offered by the Petitioner about the existing business and the justification for the removal of the referenced restrictions. However, the case was continued to give the Petitioner an opportunity to negotiate an agreed upon resolution of the issues presented by the neighbors who were present. When the hearing was reconvened on December 21, 1998, this Zoning Commissioner was advised that a settlement had been reached and the parties requested that relief be granted in accordance therewith. The terms of the agreement include an understanding that the Petitioner is withdrawing their request to remove Restriction #2. Thus, that restriction shall remain in full force and effect. It essentially provides that the special exception granted in case No. 89-239-XA is personal to the Petitioner therein and that if the property is hereafter sold, a new

ORDER RECEIVED FOR FILING

Date

By

public hearing need be held to determine the appropriateness of the continued special exception use.

The parties further agreed that Restriction #4 will be removed. That restriction provides that all damaged or disabled vehicles used in operation of the towing business which might be stored on site for maintenance and repair must be kept inside of the proposed buildings. The parties agree that in view of the nature of the business and character of the area this restriction could be removed.

The final restriction at issue is #5. That restriction provides that no damaged or disabled vehicles not belonging to Ted's Towing Company shall be stored on the premises. The Petitioners and neighbors have agreed to a modification of that condition by the addition of language that such storage, ". . . shall be for no longer than five working days".

In addition to the modification/removal of, Restrictions 2, 4 and 5, as set forth above, the parties have also agreed to further modifications. These modifications are that any refrigeration unit on any vehicle stored on the property shall not be permitted to run from 7:00 P.M. to 7:00 A.M. In addition, it is agreed that the hours of operation of the business shall be from 7:00 A.M. to 7:00 P.M. only, except for an occasional emergency towing operation. Moreover, it was agreed that no vehicles associated with the business or stored by the business shall be parked on Hazelwood Avenue from 7:00 P.M. to 7:00 A.M.

In addition to these conditions, the parties agree that any fence which might be constructed to buffer the business will be consistent in appearance and character with the neighborhood and esthetically pleasing. The Petitioner also indicated that the property will continue to be maintained in a neat and clean manner and confirmed that the business on the site (Ted's Towing) is separate and distinct from a similar operation owned by the Petitioner known as Frankford Towing.

Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing, in part, and modify the relief granted in accordance with the agreement of the parties. In my judgment, their agreement is appropriate and allows the existing operation on the site to reasonably continue without detrimental impacts to the surrounding locale. I am persuaded that the agreement meets the spirit and intent of the provisions of Section 502.1 of the BCZR.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of January 1999 that the Petition for Special Hearing shall be Granted, in part, and denied, in part, in accordance with the above and the following conditions:

1. The parties are hereby made aware that under the applicable provisions of law, any dissatisfied person may appeal this decision within 30 days from the date of this Order.
2. Restriction No. 2 in case 89-239-XA shall remain and is, therefore, not rescinded.
3. Restriction No. 4 in case 89-239-XA is hereby removed and deleted.
4. Restriction No. 5 in case 89-239-XA shall be modified by the insertion of the language regarding storage, "... shall be for no longer than 5 working days" at the end thereof.
5. No refrigeration units on any vehicles stored and/or maintained on the site will be in operation from 7:00 P.M. to 7:00 A.M.
6. The hours of operation of the business will be from 7:00 A.M. to 7:00 P.M., except for an occasional emergency towing operation during non business hours.
7. No vehicles associated with the business, either owned by or towed to the site, shall be parked on Hazelwood Avenue from 7:00 P.M. to 7:00 A.M.

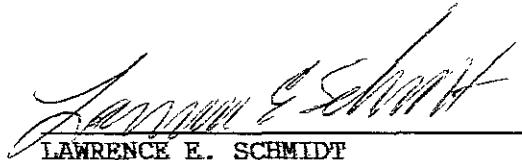
ORDER RECEIVED FOR FILING

Date

By

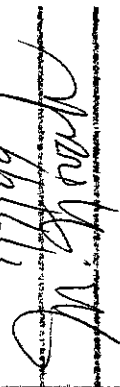

8. Any fence constructed to screen/buffer the business shall be consistent with fences in the neighborhood and esthetically pleasing.

9. The property will continue to be maintained in a neat and clean manner.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

ORDER FOR REVIEW TO ACR PLANNING
1/17/99
Date 
By 



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

January 6, 1999

James W. Motsay, Esquire
200 E. 25th Street
Baltimore, Maryland 21218

RE: Petition for Special Hearing
Case No. 99-188-SPH
Property: 409 Washington Avenue
Petitioner: Express Fuel, Inc./Timonium Land Corp., Petitioners

Dear Mrs. Dopkin:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm
encl.

c: Mr. and Mrs. William R. Bonnett, 4920 Hazelwood Ave, 21206
Mr. Joseph F. Newberger, 5623 Arnhem Road, 21206
Ms. Ella E. Jackson 5631 Utrecht Road, 21206
Ms. Holly Isaacs, 4950 Hazelwood Avenue, 21206
Mr. Edward G. Kief, 5823 Farmview Avenue, 21206
Mr. William Blaker, 5724 Emelia Avenue, 21206
Mr. Elaine R. Kalb, 5803 Westwood Avenue, 21206
Ms. Ruth Ryan, 4913 Hazelwood Avenue, 21206





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4920 Hazelwood Avenue

which is presently zoned BL-AS

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve Removal of restrictions on the property and in particular Restriction #2489-239-XA. The owner is a licensed tower that must have a storage facility to operate out of this location as required by Baltimore County Code. This is a continuation of an existing use of the property.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

James W. Motsay

(Type or Print Name)

Signature

200 W 25th Street 410-467-7200 #17

Baltimore, MD 21218

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

William Richard Bonnett

William Richard Bonnett

(Type or Print Name)

William Richard Bonnett

Signature

Regina Bonnett

(Type or Print Name)

Regina Bonnett

Signature

4920 Hazelwood Ave 3256700

Address

Phone No

Balts. Md 21206

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Paula Monica Prataci

Name

6300 Belair Rd

410-254-3800

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: BR

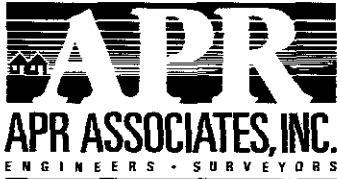
DATE 10/8/98



Revised 9/5/95

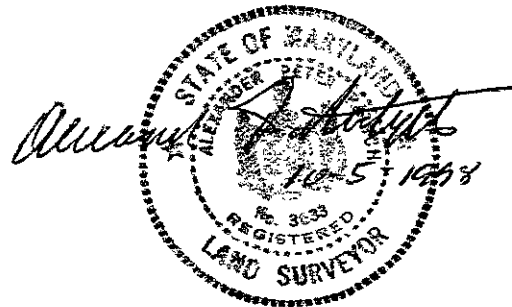
99-146-SPH

#146



ZONING DESCRIPTION

BEGINNING FOR THE SAME on the Northeasterly side of Hazelwood Avenue which is 60 feet wide at the distance of 312 feet from the point of intersection of the Northeasterly side of Hazelwood Avenue with the projection in the Northerly direction of the centerline of Emelia Avenue; thence running the following courses and distances: 1) North 24 degrees 12 minutes 44 seconds East 107.50 feet 2) North 65 degrees 47 minutes 16 seconds West 50.48 feet 3) North 04 degrees 09 minutes 38 seconds East 49.68 feet 4) North 11 degrees 57 minutes 43 seconds East 118.52 feet 5) South 65 degrees 47 minutes 16 seconds East 172.99 feet and 6) South 24 degrees 12 minutes 44 seconds West 270.00 feet to intersect the Northeasterly side of Hazelwood Avenue; thence binding thereon 7) North 65 degrees 47 minutes 16 seconds West 80.33 feet, as recorded in Liber 12320, Folio 746; containing 33,541.2 square feet or 0.77 acres. Also known as 4920 Hazelwood Avenue in the 14th Election District.



7427 Harford Road
Baltimore, Maryland 21234-7160
(410) 444-4312
Fax: (410) 444-1647

99-146-SP4

#146

BALTIMORE COUNTY, MD
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 059269

DATE 10/3/98 ACCOUNT 6001-6150

AMOUNT \$ 250.00

RECEIVED FROM: William Banhoff

FOR: Coda 040 Special Hearing

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

John H. 1/1/6

99-146-5A1

PAID RECEIPT

10/09/1998 10/09/1998 13:45:40

MT 0503 CASHIER PUES FEU DRAMER

1 MISCELLANEOUS CASH RECEIPT

06/19/97

Receipt # 059269

OR IN

250.00 CASH
BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #89-148-SPH
4920 Hazelwood Avenue
NE/S Hazelwood Avenue, 312'
E of Emmella Avenue
14th Election District
6th Councilmanic District
Legal Owner(s): Regina & William Richard Bonnett
Special Hearing: to approve the removal of restrictions 2, 4, and 5 in case number 89-239-XA
Hearing: Tuesday, November 24, 1998 at 11:00 a.m. in Room 407, County Courts Building, 407 Bosley Avenue

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicap Accessible for special accommodations
Please Call (410) 887-3353
(2) For information concerning the file and/or hearing, Please Call (410) 887-3353

11/05 Nov. 5 0271081

CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov. 5, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 5, 1998.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

CASE NUMBER: *99-146-SPH*

PETITIONER/DEVELOPER: () *William Bonnett*

DATE OF HEARING/~~CELEBRATING~~: () *11-24-98*

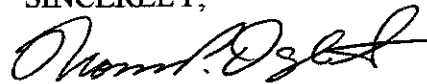
ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY
THAT THE NECESSARY SIGN (S) REQUIRED BY LAW WERE POSTED
CONSPICUOUSLY ON THE PROPERTY LOCATED AT,
4920 HAZELWOOD AVE. BALTIMORE, MD 21206

THE SIGN (S) WERE POSTED ON, *11-9-98* BY THE UNDERSIGNED.

SINCERELY,



THOMAS P. OGLE SR.
325 NICHOLSON RD.
BALTIMORE MD. 21221
(410) 687-8405
(410) 687-4381 (FAX)

TO: PATUXENT PUBLISHING COMPANY
November 5, 1998 Issue - Jeffersonian

Please forward billing to:

James W. Motsay, Esquire 410-467-7200, #17
200 E. 25th Street
Baltimore, MD 21218

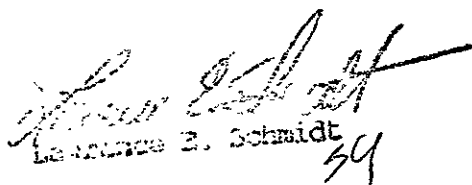
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-146-SPH
4920 Hazelwood Avenue
NE/S Hazelwood Avenue, 312' E of Emelia Avenue
14th Election District – 6th Councilmanic District
Legal Owner: Regina & William Richard Bonnett

Special Hearing to approve the removal of restrictions 2, 4, and 5 in case number 89-239-XA.

HEARING: Tuesday, November 24, 1998 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

October 20, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-146-SPH
4920 Hazelwood Avenue
NE/S Hazelwood Avenue, 312' E of Emelia Avenue
14th Election District – 6th Councilmanic District
Legal Owner: Regina & William Richard Bonnett

Special Hearing to approve the removal of restrictions 2, 4, and 5 in case number 89-239-XA.

HEARING: Tuesday, November 24, 1998 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a stylized flourish at the end.

Arnold Jablon
Director

c: James W. Motsay, Esquire
Regina & William Bonnett
Paula Roratani

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 9, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

November 20, 1998

James W. Motsay, Esq.
200 E. 25th Street
Baltimore, MD 21218

RE: Item No.: 146
Case No.: 99-146-SPH
Location: 4920 Hazelwood Avenue

Dear Mr. Motsay:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on October 8, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

OCTOBER 29, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: WILLIAM RICHARD BONNETT AND
REGINA BONNETT

Location: DISTRIBUTION MEETING OF OCTOBER 19, 1998

Item No.: 146 Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File




B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 28, 1998

FROM:  Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for October 26, 1998
 Item Nos. 142, 143, 144, 145, 146
 147, 148, 149, 150, 151, 152, & 160

 The Bureau of Developer's Plans Review has reviewed the subject
zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: POM

FROM: R. Bruce Seeley *RS/SP*
Permits and Development Review
DEPRM

DATE: 10/26/98

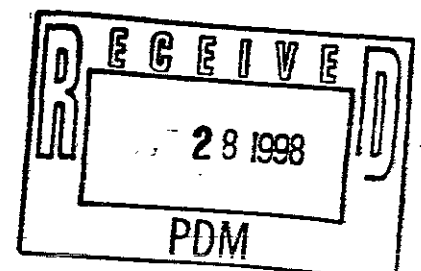
SUBJECT: Zoning Advisory Committee
Meeting Date: 10/11/98

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	140	148
	141	152
	142	160
	145	
	146	
	147	

RBS:sp

BRUCE2/DEPRM/TXTSBP



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: October 26, 1998

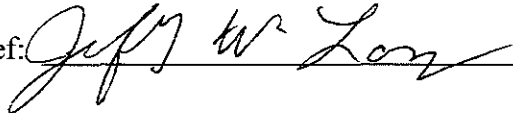
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 146, 153, 154, 155, and 167

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 10-20-95

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 146 BR

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
4920 Hazelwood Avenue, NE/S Hazelwood Ave,
312' E of Emelia Ave, 14th Election District,
6th Councilmanic

Legal Owners: William R. and Regina Bonnett


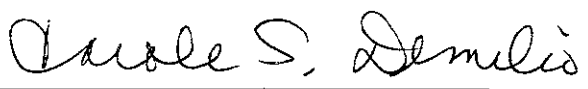
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-146-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

	
<u>PETER MAX ZIMMERMAN</u> People's Counsel for Baltimore County	<u>CAROLE S. DEMILIO</u> Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October, 1998, a copy of the foregoing Entry of Appearance was mailed to James W. Motsay, Esq., 200 E. 25th Street, Baltimore, MD 21218, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

December 2, 1998

James W. Motsay, Esquire
200 E. 25th Street, #17
Baltimore, Maryland 21218

RE: Case No. 99-146-SPH
Petition for Special Hearing
Ted's Towing, Inc., 4920 Hazelwood Avenue

Dear. Mr. Motsay:


This is to confirm that, at the request of the Protestants, a continuance of the public hearing convened in the above matter was granted on November 24, 1998. The continuance was granted in order to provide the Protestants/neighbors with an opportunity to review the Petition for Special Hearing and prepare the presentation of their case.

As noted at the hearing, the matter has been rescheduled for hearing for Monday, December 21, 1998 at 11:00 A.M. The hearing will be conducted in Room 407 of the County Courts Building.

I am not requiring that the Petitioner repost the property with a sign or readvertise the new hearing date. Since the hearing before me on November 24, 1998 was open, the matter shall be treated as a continuance. Moreover, I do not expect that a further continuance will be granted, except for extreme circumstances.

Please do not hesitate to contact me should you have any questions regarding this matter.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

Copy:

Mr. Joseph E. Newberger, 5623 Arnhem Rd., 21206
Ms. Ella E. Jackson, 5631 Utrecht Road, 21206
Mrs. Holly Isaacs, 4950 Hazelwood Avenue, 21206
Mr. Edward G. Kief, 5823 Farmview Avenue, 21206
Mr. William Blake, 5724 Emelia Avenue, 21206
Mrs. Elaine R. Kalb, 5803 Westwood Avenue, 21206
Mrs. Ruth Ryan, 4913 Hazelwood Avenue, 21206



4950 Hazelwood Avenue
Baltimore, Maryland 21206
November 16, 1998

The Honorable Benjamin L. Cardin
540 E. Belvedere Avenue, Ste. 201
Baltimore, Maryland 21212

The Honorable C.A. Dutch Ruppertsberger
400 Washington Avenue
Towson, Maryland 21204

Dear Congressman Cardin and County Executive Ruppertsberger:

I would like to first "Thank you" for taking the time to listen to my concerns.

Enclosed you will find a re-zoning request. Seven years ago this company tried to have this zoning request approved by the county and was turned down. Ted's Towing is again trying to have this re-zoning approved at the expense of my neighborhood.

My neighborhood is an old neighborhood (over 50 years old). We have a diverse community of all ages and ethnic groups, (especially seniors), individual homes, well kept and quiet. To let this company turn our neighborhood into a noise polluted, heavy equipment, junk yard serves no one in the community. Tow trucks riding up and down the street, shaking homes and passing, just one block up the street, an elementary school, with small children crossing the street. This is of no benefit to any one in our community. Just up the road you have Route 40 which has plenty of locations for a large towing company. All the re-election talk was about saving our old neighborhoods. We are just such a neighborhood, young and old trying to keep our neighborhood safe and clean.

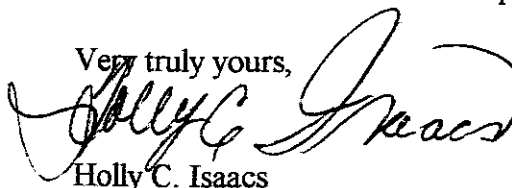
If there is anything that you can do to stop this injustice I hope you try.

As I have already stated there is an elementary school a block from this company, two bars, sub shop, motorcycle repair shop and Farm Store all in middle of a residential area. Enough is enough.

Please help us keep our children and residents safe. No one wants to live with a junk yard, huge tow trucks and more traffic, its not safe, clean or about neighborhoods.

As you can see by the enclosed notice time is of the essence. Please help before it is to late.

Very truly yours,


Holly C. Isaacs

Unclermed

Attention: Rosedale Residents!

Please read: Zoning Hearing

For Info.: Call 410-887-73391

November 24, 1998 at 11:00 A.M.

Case No. 99-146-SPH

SPECIAL HEARING TO APPROVE THE REMOVAL OF RESTRICTIONS
2,4,5, IN NUMBER 89-239- XA

TED'S TOWING SERVICE
420 HAZELWOOD AVENUE
BALTIMORE, MARYLAND 21206

EXPLAIN: #2 - TRANSFER NEW OWNER
#4 - STORAGE OF LARGE ABLED AND DISABLED TOW
TRUCKS
#5 - STORAGE OF DAMAGED AND DISABLED VEHICLES
(ALL TYPES)

PROBLEMS THAT MAY ARISE IF APPROVED:

1. MORE TRAFFIC CONGESTION
2. EXCESSIVE NOISE FROM TRACTORS (ALL HOURS)
3. STORAGE CONDITIONS OF LARGE AMOUNT OF VEHICLES
OLD OR WRECKED MAY CAUSE ANIMAL INFESTATION
(RATS)

6:00 PM 407 New Court 11:00

Executive Office Transmittal Memo

TO: ARNOLD TABLON

SUBJECT: RE-ZONING REQUEST

FROM: WINNIE CARPENTER

DEADLINE DATE: _____

DATE: 11/18/98

CASE NUMBER: 98-2933

____ Please review the attached correspondence, investigate complaint and prepare a letter of response for the County Executive's signature within 10 working days.

☒ Please review the attached correspondence, investigate complaint and respond directly to the constituent within 10 working days. Provide the County Executive with a copy and blind copy the staff member forwarding this memo.

____ Please review the attached correspondence and set up a meeting to discuss the issue. Prepare a letter for the County Executive's signature confirming the results of the meeting and any action taken to resolve the problem.

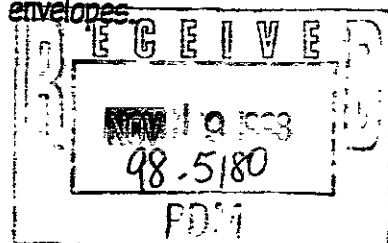
____ Other. _____

Constituent Problem Tracking Notes:

_____ THANK YOU

Reminders: ☒ Please post date all letters three working days after the date you are typing the letter to allow for processing in the Executive Office.

☒ A 3X5 card, envelope and background material must accompany all letters that are being prepared for the County Executive's signature. Departments should also make a copy for our files and any carbon copies with corresponding envelopes.



PLEASE DELIVER IMMEDIATELY

TO

Lawrence Schmidt

Case # 99-146-SPH
11/24

Date: 11-18-98

Total Pages: 2

FAX

887-3468

PHONE

887-4386

FAX

M

E

S

THE FOLLOWING LETTER WAS MAILED TO THE HOMES IN THE ROSEDALE AREA. AT FIRST WE THOUGHT THEY WERE BEING SENT OUT BY BALTO. COUNTY ZONING - AND WE THOUGHT THIS WAS HIGHLY INAPPROPRIATE. AFTER CALLING THE PHONE NUMBER ON THE PAPER & SPEAKING TO JOHN SULLIVAN I WAS ASSURED IT DID NOT COME FROM BALTIMORE COUNTY ZONING. HOWEVER I AM STILL UPSET BY THIS BECAUSE IT SEEMS TO BE A DELIBERATE MIS REPRESENTATION OF YOUR OFFICE.

S

A

G

E

I AM FAXING THIS LETTER TO YOU & ASKING THAT YOU MAKE IT PART OF THE FILE. I WANTED YOU TO HAVE THIS INFORMATION PRIOR TO NEXT WEEK'S HEARING.

FROM

Paula Pratori
Ted's Towing Service
4920 Hazelwood Ave

FAX

410-254-8697

PHONE

410-254-3800

FAX

Attention: Rosedale Residents!

Please read: Zoning Hearing

For Info.: Call 410-887-73391

November 24, 1998 at 11:00 A.M.

~~Case No. 99-146-SPH~~

**SPECIAL HEARING TO APPROVE THE REMOVAL OF RESTRICTIONS
2,4,5, IN NUMBER 89-239- XA**

**TED'S TOWING SERVICE
4220 HAZELWOOD AVENUE
BALTIMORE, MARYLAND 21206**

EXPLAIN: #2 - TRANSFER NEW OWNER

**#4 - STORAGE OF LARGE ABLED AND DISABLED TOW
TRUCKS**

**#5 - STORAGE OF DAMAGED AND DISABLED VEHICLES
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OLD OR WRECKED MAY CAUSE ANIMAL INFESTATION
(RATS)**



for 3468

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: *Zoning Commissioner's office*
ATTN Larry Schmidt

FROM: Joseph Bartenfelder
Councilman, Sixth District

SUBJECT: *Case # 99-144-SPH*

DATE: *11/23/98*

*Please See The attached letter, I
received This letter on 11/23; The hearing is
Set for 11/24*

Bruce Spiegel
in
Councilman Bartenfelder's office
887-5223

4950 Hazelwood Avenue
Baltimore, Maryland 21206
November 16, 1998

The Honorable Benjamin L. Cardin
540 E. Belvedere Avenue, Ste. 201
Baltimore, Maryland 21212

The Honorable C.A. Dutch Ruppertsberger
400 Washington Avenue
Towson, Maryland 21204

Dear Congressman Cardin and County Executive Ruppertsberger:

I would like to first "Thank you" for taking the time to listen to my concerns.

Enclosed you will find a re-zoning request. Seven years ago this company tried to have this zoning request approved by the county and was turned down. Ted's Towing is again trying to have this re-zoning approved at the expense of my neighborhood.

My neighborhood is an old neighborhood (over 50 years old). We have a diverse community of all ages and ethnic groups, (especially seniors), individual homes, well kept and quiet. To let this company turn our neighborhood into a noise polluted, heavy equipment, junk yard serves no one in the community. Tow trucks riding up and down the street, shaking homes and passing, just one block up the street, an elementary school, with small children crossing the street. This is of no benefit to any one in our community. Just up the road you have Route 40 which has plenty of locations for a large towing company. All the re-election talk was about saving our old neighborhoods. We are just such a neighborhood, young and old trying to keep our neighborhood safe and clean.

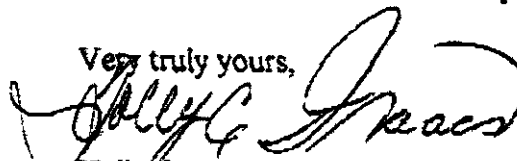
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Please help us keep our children and residents safe. No one wants to live with a junk yard, huge tow trucks and more traffic, its not safe, clean or about neighborhoods.

As you can see by the enclosed notice time is of the essence. Please help before it is to late.

Very truly yours,


Holly C. Isaacs

Isaacs

RECEIVED
NOV 17 1998



Hazelwood - Park East Civic Association, Inc.

Incorporated the 10th Day of October 1963

5615 DAYBREAK TERR
BALTO., MD. 21206
NOVEMBER 21, 1998

ATTENTION BALTIMORE COUNTY ZONING COMMISSIONER

I am writing on behalf of The Hazelwood - Park East Civic Association, which is comprised of approximately 450 homes in the vicinity of Hazelwood Avenue in Rosedale.

ON 11/19/98 I was apprised of case # 99-146-SPH, scheduled to be heard by your office on 11/24, involving TED'S TOWING COMPANY ON Hazelwood Avenue. I immediately obtained a copy of case # 89-239XA (referred to in the 11/24 case), and am extremely concerned about the proposed removal of restrictions--especially Numbers 4 and 5.

My main fear is that the removal of restrictions 4 and 5 would "open the door" for the possible large scale storage of vehicles and equipment that would have a significant negative impact on community integrity, appearance, property values, traffic, etc.

While Paula Patton, from Ted's Towing verbally assured me that my concerns are unfounded, I am not comfortable with the lifting of the restrictions.

With this in mind, I am asking you to delay the hearing scheduled for 11/24/98 until late-January. The delay will give me an opportunity to hold a community meeting, discuss the case and its ramifications, and arrange for a group of neighbors to attend the rescheduled meeting.

If you cannot accommodate my request for a postponement, I ask that your decision call for the retention of restrictions, especially #s 4 and 5.

I would appreciate your response to this letter

William A. Spagel
Association President

ELMWOOD BELMAR PARK COMMUNITY ASSOCIATION

November 22, 1998

ATTENTION: BALTIMORE COUNTY ZONING COMMISSIONER:

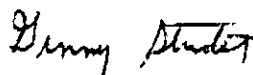
Our concern is case #99-146- 5PH, scheduled for hearing by your office on Tuesday, November 24, 1998, and most particularly, the removal of restrictions 4 and 5.

One of our members (and his family) lives 4,00 FEET from Ted's Towing Company on Hazelwood Avenue (petitioner) - noise, traffic, unsightly parked vehicles - are only some of the concerns at this time.

Our association was formed and incorporated two years ago to maintain our safety, property values and unity. There are 1200 homes in this area: Kenwood Avenue to Hazelwood Avenue and the city line to Greenwood Avenue. As president and representing this association I am requesting a delay of this hearing until late January to allow the members to meet and discuss this case and what it means to our neighborhood. We would also like to have an opportunity to attend the hearing.

Response to this letter would be appreciated.

Thank you,



Ginny Student
President
Elmwood Belmar Park Community
Association
522 Old Home Road
Baltimore Maryland 21206
410 661 3256

HOLLAND HILL IMPROVEMENT ASSOCIATION

INCORPORATED
5631 Utrecht Rd
Bald, Md 21206
BALTIMORE COUNTY, MARYLAND
21206

Attention: Baltimore County Zoning Commissioner

I am writing on behalf of the Holland Hill Improvement Association which has approximately 600 homes. I am writing this letter with the same feelings as our neighbors. Hazelwood - Park East. We feel that a delay in the hearing of 11/24/98 would give us time to hold a community meeting, to discuss what Ted Lowery is asking for and arrange for a group of neighbors to attend the rescheduled meeting we are asking for sometime in late January 1999. as we just found out about the one on November 24.

Gella E. Jackson
Association President

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

JOSEPH F. NEWBERGER
Lela J. Jackson
HOLLY T. GRACS
Edward J. Hief
William Blake
Elaine R. Kall
Ruth Ryan

5623 ARNHEM RD. 21206
5631 Utrecht Rd 21206
4950 HAZELWOOD AVE 21206
5823 Farmview Ave 21206
5724 Emelia Ave. 21206
5803 Westwood Ave, 21206
4913 HAZELWOOD AVE

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JIM MOTSAH, ESQ

WILLIAM BONNETT

PAULA PROTANI

200 E 25th St. 21218.

4920 HAZELWOOD Ave 21206

4920 HAZELWOOD Ave 21206



PLEASE PRINT CLEARLY

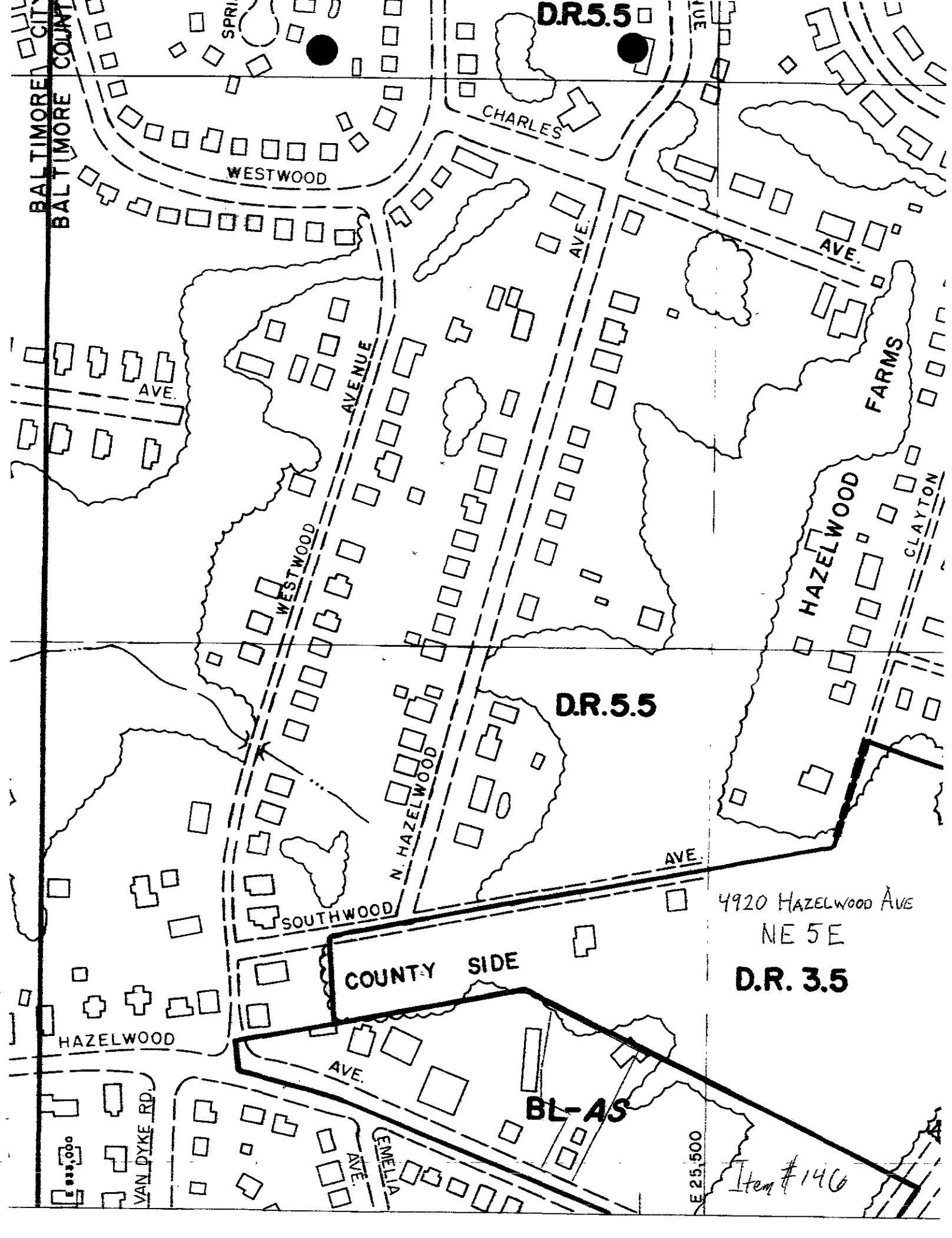
PETITIONER(S) SIGN-IN SHEET

12/2

NAME
Ella Jackson
Claire R. Kall
JOSEPH F. NEWBERGER
George E. Kowalski
Sally Jones
Paul M. Fratini
Wm. R. Bonnett

ADDRESS
5631 Utrecht Rd
5803 Westwood Ave 21206
5623 ARNHEM RD. 21206
4917 Hazelwood Ave 21206
4950 Hazelwood Ave 21206
3606 Bayonne Ave 21206
4920 Hazelwood Ave 21206





D.R. 5.5

CHARLES

WESTWOOD

AVE.

FARMS

HAZELWOOD

CLAYTON

D.R. 5.5

AVE.

4920 HAZELWOOD AVE

NE 5E

D.R. 3.5

COUNTY SIDE

BL-AS

25,500

Item #140

BALTIMORE CITY
BALTIMORE COUNTY

AVE.

AVENUE

WESTWOOD

N. HAZELWOOD

SOUTHWOOD

HAZELWOOD

VAN DYKE RD.

AVE.

EMELIA

AVE.

0 25,500

